

**THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THOMAS ARMSTRONG, et al.,	)	
	)	
Plaintiffs,	)	Case No. 07-C-6916
	)	
v.	)	Hon. Ronald A. Guzman
	)	Magistrate Judge Sidney I. Schenkier
Interactive Brokers, LLC,	)	
	)	
Defendant.	)	

**PLAINTIFFS' UNOPPOSED MOTION FOR AN  
EXTENSION OF TIME TO FILE THEIR AMENDED COMPLAINT**

The Plaintiffs hereby move the Court to enter an order granting them additional time to file their Amended Complaint. In support of their motion, the Plaintiffs state as follows:

1. After the Court dismissed several Counts in their original Complaint without prejudice, and gave the Plaintiffs 14 days or until May 22, 2008 to file an Amended Complaint, the Plaintiffs filed an agreed motion for an additional 30 days or until June 23, 2008 to file their Amended Complaint, which the Court granted on May 7, 2008.

2. The Plaintiffs' motion provided a number of reasons why the Plaintiffs needed the additional time to file their Amended Complaint, but the principal reason involved the amount of work that Plaintiffs' counsel needed to prepare the Amended Complaint.

3. This case was filed by 123 Plaintiffs against Defendant, Interactive Brokers LLC ("Interactive"). The Court held that the Plaintiffs must plead facts regarding the fraudulent scheme that one Kevin Steele ("Steele") perpetrated upon them with specificity under Rule 9(b) of the Fed.R.Civ.Pro. to avoid the dismissal of various claims with prejudice, which are based on claims that Interactive aided and abetted Steele's fraudulent scheme and breaches of the fiduciary duties he owed them. See the Court's May 7, 2008 order at 2.

4. Plaintiffs' counsel has not been able to reach some of the Plaintiffs or communicate fully enough with them to confirm the facts that he expects to allege in the Amended Complaint. Some of the Plaintiffs reside in Europe and do not speak English, which has required the use of an interpreter who have not been available at times convenient for all concerned. Other Plaintiffs are trying to locate documents that their counsel has requested so he can confer fully with him. Several Plaintiffs are elderly, and do not have email to communicate expeditiously with their counsel or his legal assistants. This has made it much more difficult to communicate with them.

5. In addition, Plaintiffs' counsel is a sole practitioner, and, due to the responsibilities he owes other clients, he cannot prepare Plaintiffs' Amended Complaint by June 23, 2008, which is only 7 days from now -- without regard to the other matters described above.

6. Indeed, Plaintiffs' counsel will be commencing a trial on June 24, 2008, which is requiring extensive preparation.

7. Plaintiffs' counsel believes that another 30-day extension of time will be sufficient to allow him to complete Plaintiffs' Amended Complaint.

8. Interactive will not suffer any prejudice from an order granting the Plaintiffs an additional 30 days to file their Amended Complaint.

9. To be sure, Interactive has noted that it does not oppose Plaintiffs' request for a 30-day extension of time to file their Amended Complaint.

#### CONCLUSION

For the foregoing reasons, and in the interest of justice, equity, and basic principles of fair play, the Plaintiffs respectfully move the Court to enter an order granting them until July 17, 2008 to file their

Amended Complaint.

Plaintiffs,

By: 

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